



Response Under 37 CFR 1.116
Expedited Procedure
Examining Group 1804

B8/B8 CIP DIV4

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

#8
M.G.J.
4/28/97

Group Art Unit : 1804
Examiner : J. Martinell
Applicant : Walter C. Fiers
Serial No. : 08/452,658
Filed : May 25, 1995
For : DNA SEQUENCES, RECOMBINANT DNA
MOLECULES AND PROCESSES FOR
PRODUCING HUMAN FIBROBLAST
INTERFERON-LIKE POLYPEPTIDES

New York, New York
April 15, 1997

Hon. Commissioner of Patents
and Trademarks
BOX AF
Washington, D.C. 20231

RECEIVED

APR 28 1997

NOTICE OF APPEAL

GROUP 1

Sir:

Applicant(s) hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed October 15, 1996 in which the rejection of claims 31, 33 and 34 was made final.

[X] Applicant(s) respectfully requests an oral hearing before the Board of Appeals. The appropriate fee is submitted herewith.

[X] The appropriate fee for a 3-month extension of time to respond to the final rejection was timely paid on April 15, 1997 with applicant's Amendment and Response.

230 EK 06-1075 04/29/97 08452658
23097 219 150.00CH

[] An additional _____-month extension of time to respond to the final rejection is requested and the appropriate extension fee is submitted herewith.

[X] Address all correspondence to:

James F. Haley, Jr.
c/o FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020
Tel.: (212) 596-9000

[] A check in the amount of [] \$150.00 [] \$280.00 in payment of the [] appeal fee, [] appeal and oral hearing fees, is enclosed.

[X] The Commissioner is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

[X] Please charge [] \$150.00 [X] \$280.00 to Deposit Account No. 06-1075 in payment of the [] appeal fee; [X] appeal and oral hearing fees. A duplicate copy of this Notice of Appeal form is enclosed.

Barbara Ruskin

James F. Haley, Jr. (Reg. No. 27,794)
Attorney for Applicant
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I Hereby Certify that this
Correspondence is being
Deposited with the U.S.
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Addressed to: ASSISTANT
COMMISSIONER FOR PATENTS
WASHINGTON D.C. 20231, on

April 15, 1997
Thomas Quinones

Name of Person Signing

[Signature]
Signature of Person Signing